



# THE NAVAJO NATION

## Telecommunications Regulatory Commission Office Of The President and Vice President

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Joe Shelly, Jr.  
President

May 31, 2007

Bennie Shelly  
Vice President

Ernest Franklin, Jr.  
Executive Director

The Honorable Deborah Taylor Tate  
Chairman  
Federal-State Joint Board on Universal Service  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Thonacha White  
Administrative Assistant

Dear Joint Board Chairman Tate

Steve L. Gray  
Chairperson

I write to relay the Navajo Nation's opposition to the proposed cap on the USF. First of all, the Navajo Nation thanks you and the members of the Federal State Joint Board on Universal Services for guiding the development of telecommunication services. Your commitment has been extremely important to the economic sustainability of rural America and Indian Country.

Wanene A. Luma  
Vice Chairperson

The growth of the Navajo Nation depends on the wireless telecommunication services provided by the various telecommunication carriers. A cap on wireless technology deployment will impact the tribe in a negative way. The 27,000 square miles of Navajo Nation lands cannot, in the near future, be hardwired to accommodate the growth of its communities. Our schools need wireless distance learning capabilities, our hospitals need telehealth capabilities, the safety of our communities requires E911 capabilities, the sustainability of our economic and community developments need geographical information systems, and we need to maintain an E-government environment to consistently keep up with the growth of our people. Therefore, wireless technology must be implemented without restrictions.

E. Terry Davis  
Secretary/Treasurer

Norman Lee  
Commissioner

We currently have limited WiFi systems, two-way satellite systems, point to point microwave systems, and point to multi-point communications systems to assist in our current growth. A majority of these systems were developed and sustained with the Federal Universal Service Fund. The Navajo Nation has moved to a wireless system because of the lengthy process of obtaining rights of ways on federally restricted lands. The development of wireless technology has provided us the ability to overcome the bureaucracy in obtaining rights of way and begin to provide vital services to our people.

Johnny Flaster  
Commissioner

Edna Begay  
Commissioner

Steve Lee  
Commissioner

As mentioned, a cap on the financial resources used to enhance the wireless infrastructure will severely impact the Navajo Nation in many ways. The Incumbent Local Exchange Carriers for the Navajo Nation are hampered by the ability to acquire new rights-of-way and therefore can not expand to meet the needs of Navajo communities. Although, this could be a problem, it can be overcome if the local ILECs seek a change. Placing a cap on the wireless providers will limit competition, which in turn will affect the efforts of the ILECs to expand its telecommunication infrastructure on the Navajo Nation. We urge that you reconsider the use of a cap to address the situation at hand, because we have first hand experience that temporary actions can become long term permanent policies.

Telecommunications Regulatory Commission  
Office Of The President and Vice President

Joe Shirley, Jr.  
President

Bennie Shelly,  
Vice President

Cont-

May 31, 2007

The Honorable Deborah Taylor Tate, Chairman

Ernest Franklin Jr.  
Executive Director

Thonacita White  
Administrative Assistant

Steve L. Grey  
Chairman

E. Tony Davis  
Secretary/Treasurer

Norbert Noel  
Commissioner

Martene A. Lynier  
Commissioner

Johnny Platero  
Commissioner


Bobby Segner  
Commissioner

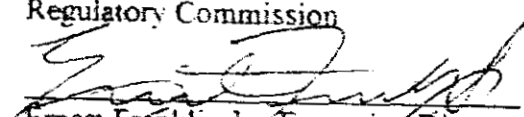
Steve Noel  
Commissioner

Instead, we ask for better accountability from competitive ETCs on how funds are utilized for the build-out of advanced services in rural regions.

In conclusion, we urge you to reconsider the need to implement an interim cap and that you explore other ways of controlling fund growth without impeding the source of investment in our rural infrastructure that the Navajo Nation so desperately needs.

Sincerely,

  
Steve Grey, Chairman  
Navajo Nation Telecommunication  
Regulatory Commission

  
Ernest Franklin Jr., Executive Director  
Navajo Nation Telecommunication  
Regulatory Commission

Cc: Chairman Kevin J. Martin  
Commissioner Michael J. Copps  
Commissioner Lisa Polak Edgar  
Commissioner Larry S. Landis  
Commissioner John D. Blake

# Commonwealth of Kentucky

## HOUSE OF REPRESENTATIVES

JODY RICHARDS  
20th Legislative District  
817 Culpeper Street  
Bowling Green, Kentucky 42103-0902



SPEAKER OF THE HOUSE

STATE CAPITOL  
Room 309  
Frankfort, Kentucky 40601  
(502) 564-8366

June 5, 2007

Chairman Kevin J. Martin  
Federal Communications Commission  
Room 8-B201  
445 12th Street SW  
Washington, DC 20554

Re: Proposed Cap on universal service support

Dear Chairman Martin:

As you know, the Federal-State Joint Board on Universal Service has recommended that the Federal Communications Commission adopt an interim cap on high-cost universal service support for competitive eligible telecommunications carriers. As the Commission considers this proposed cap, I urge you to proceed cautiously to ensure that rural residents in need of expanded access to wireless communications are not adversely affected.

One of the important goals of Universal Service, as mandated by the 1996 Act, is to increase access to advanced telecommunications services to rural consumers at rates comparable to those paid in urban areas. This goal is particularly important for Kentucky where many citizens still reside in rural areas with limited access to state-of-the-art wireless and broadband services. Expanding access to high quality and affordable wireless technology is essential to the economic development of our rural areas, as well as safety and mobility of rural residents. Without necessary resources for the expansion and upgrade of rural wireless networks, rural consumers will not be able to enjoy these benefits at the level they deserve.

Chairman Kevin J. Martin  
June 5, 2007  
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While curbing the rapid growth of the Universal Service fund in order to reduce costs to customers is a legitimate goal, I am concerned that accomplishing this goal through the proposed cap may unfairly burden rural residents. Any cap on universal service support to particular carriers must be carefully evaluated for its impact on rural areas of the country still waiting to enjoy the level of advanced telecommunications now taken for granted by most Americans. I also urge you to take an approach to addressing the rapid growth of the fund which is fair and equitable to all telecommunications providers without regard to the underlying technology. I believe that you will be able to identify proposals which are both competitively neutral and promote the continued expansion and improvement of much needed services in rural areas.

Please contact my office if you have any questions about this matter.

Sincerely,

  
Jody Richards  
Speaker of the House

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## USE COST RECOVERIES

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